

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**PAN AMERICAN AIRWAYS CORP.,** )

**Plaintiff/Counter-Defendant,** )

**v.** )

**C.A. No. 04-CV-10515-JLT**

**ROBERT E. BARNES,** )

**Defendant/Counter-Plaintiff.** )

**DECLARATION OF STEVEN LEGERE**

Steven Legere declares as follows:

1. I am the Vice President of Maintenance for the Boston-Maine Airways Corporation (“BMAC”) and I formerly was employed in the Maintenance Department of Pan American Airways Corporation (“Pan Am”) and I am familiar with the facts set forth herein. I make this declaration in support of Pan Am’s Reply in Opposition.

2. Within the Pan Am management structure, the Vice President of Maintenance—a position held by Robert E. Barnes (“Barnes”) from April, 2002 to July, 2003—was responsible for ensuring that the Engines were properly preserved and maintained.

3. Barnes held regular briefing sessions with his staff, and knew or should have known that the Engines that were not being used in service had to be properly stored. Barnes also knew or should have known that the manuals accompanying the Engines required proper storage for Engines that were not in service.

4. Failure to properly preserve and maintain the Engines, or to ensure that his staff was properly preserving and maintaining the Engines, was outside the scope of Barnes's employment with Pan Am.

5. As the Vice President of Maintenance, Barnes had a duty to properly preserve and maintain the Engines, or to ensure that his staff was properly maintaining and preserving the Engines, which he failed to do.

6. This failure by Barnes resulted in Pan Am being damaged in excess of \$360,000.00. Invoices for the majority of these costs are attached hereto as Exhibit A.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on October 12, 2005.

  
Steven Legere